

Patent
Attorney's Docket No. 033525-001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of)
Maurice ISRAEL et al.)
Application No.: 10/009,198) Group Art Unit: Unassigned
(Corresponds to PCT/FR00/01612))
International Filing Date: 6 JUNE 2000)
For: PHARMACEUTICAL COMPOSITION)
COMPRISING NO OR AT LEAST A)
NO DONOR COMPOUND OR)
ANOTHER COMPOUND CAPABLE)
OF RELEASING OR INDUCING NO)
FORMATION IN CELLS)

LETTER

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Applicants received a Notification of Missing Requirements mailed February 15, 2002 under 35 U.S.C. §371 in the United States Designated/Elected Office.

In particular, the U.S. Patent and Trademark Office has requested an Oath or Declaration from the inventors and they have requested that Applicants Comply with a Nucleotide and/or Amino Acid Sequence Disclosure.

After complete review of the file, Applicants believe that the request to Comply with the Nucleotide and/or Amino Acid Sequence Disclosure was in error. To the best of Applicants' knowledge, no nucleotide or amino acid sequences are disclosed anywhere in the subject application.

Accordingly, Applicants will not reply to the Request for a Sequence Listing.

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If the Examiner has any questions, a telephone call to Applicants' undersigned representative is respectfully requested.

Respectfully submitted,

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By:

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Date: April 15, 2002



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box P.O. 1
 United States Patent and Trademark Office
 Washington, D.C. 20233
www.uspto.gov

039525-001

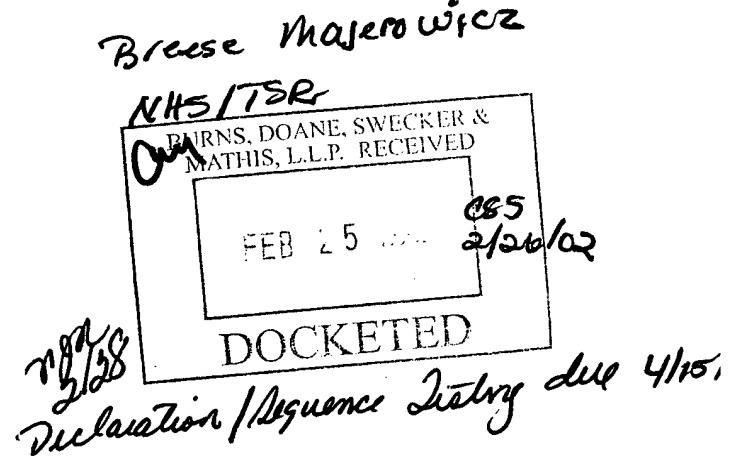
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|-------------------------------|-----------------------|------------------|
| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
| 10/009,198 | Maurice Israel | 004101-003 |
| INTERNATIONAL APPLICATION NO. | | |
| PCT/FR00/01612 | | |
| IA. FILING DATE | PRIORITY DATE | |
| 06/09/2000 | 06/11/1999 | |
| CONFIRMATION NO. 8168 | | |
| 371 FORMALITIES LETTER | | |
| *OC00000007483645* | | |

Date Mailed: 02/15/2002

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Indication of Small Entity Status
- Priority Document
- Biochemical Sequence Listing
- Copy of IPE Report
- Copy of the International Application
- Information Disclosure Statements
- Preliminary Amendments
- Request for Immediate Examination
- Small Entity Statement



The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$65 Surcharge for providing the oath or declaration later than the appropriate 30 months months from the priority date (37 CFR 1.492(e)) is required.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions

of 37 CFR 1.136(a).

The following items **MUST** be furnished within the period set forth below:

- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):

- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).
- A copy of the "Sequence Listing" in computer readable form has been submitted. The content of the computer readable form, however, does not comply with the requirements of 37 CFR 1.822 and/or 1.832, as indicated on the attached marked-up copy of the "Raw Sequence Listing."
- **APPLICANT MUST PROVIDE:**
 - An initial or substitute computer readable form (CRF) of the "Sequence Listing."
 - An initial or substitute paper copy or compact disc of the "Sequence Listing," as well as an amendment directing its entry into the specification.
 - A statement that the contents of the paper or compact disc and the computer readable form are the same and, where applicable, include no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b) or 1.825(d).

- For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$65** for a Small Entity:

- **\$65** Late oath or declaration Surcharge.
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).
- A copy of the "Sequence Listing" in computer readable form has been submitted. The content of the computer readable form, however, does not comply with the requirements of 37 CFR 1.822 and/or 1.832, as indicated on the attached marked-up copy of the "Raw Sequence Listing."

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

BARBARA A CAMPBELL

Telephone: (703) 305-3631

PART 1 - ATTORNEY/APPLICANT COPY

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/009,198 | PCT/FR00/01612 | 004101-003 |

FORM PCT/DO/EO/905 (371 Formalities Notice)